

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION**

MARCELL MASEMAN, Individually and  
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

RUBY TUESDAY, INC., JAMES F.  
HYATT, II, STEPHEN I. SADOVE  
MARK W. ADDICKS, F. LANE  
CARDWELL, JR., KEVIN T. CLAYTON,  
DONALD E. HESS, BERNARD  
LANIGAN, JR. and JEFFREY J.  
O'NEILL,

Defendants.

Case No. **3:17-cv-00478**

**NOTICE OF DISMISSAL  
WITHOUT PREJUDICE**

Notice is hereby given that pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, Plaintiff voluntarily dismisses without prejudice the above-titled action against Defendants. This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

December 18, 2017

Respectfully submitted,

**BRANSTETTER, STRANCH  
& JENNINGS, PLLC**

/s/ J. Gerard Stranch, IV  
J. Gerard Stranch, IV (TN # 23045)  
THE FREEDOM CENTER  
223 Rosa L. Parks Avenue, Suite 200  
Nashville, TN 37202  
(615) 254-8801  
[gerards@bsjfirm.com](mailto:gerards@bsjfirm.com)

*Attorneys for Plaintiff Marcell Maseman*

Juan Monteverde (admitted *pro hac vice*)  
Miles Schreiner (admitted *pro hac vice*)  
**MONTEVERDE & ASSOCIATES PC**  
350 Fifth Avenue, Suite 4405  
New York, NY 10118  
(212) 971-1341

*Attorneys for Plaintiff Marcell Maseman*

**SO ORDERED:**

Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE HARRY S. MATTICE, JR.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 18, 2017, a true and exact copy of the foregoing pleading has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/ J. Gerard Stranch, IV  
J. Gerard Stranch, IV (TN # 23045)